



Monterey County Planning Commission

Agenda Item No. 2

Legistar File Number: PC 17-045

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Current Status: Agenda Ready

Matter Type: Planning Item

PLN150082 - INDIAN SPRINGS

Public hearing to consider a wireless communication facility, pending amendment of the Conservation and Scenic Easement Deed and consider recommendation to the Board of Supervisors to amend the Conservation and Scenic Easement.

Project Location: 22400 Indian Springs Road, Salinas, Toro Area Plan

Proposed CEQA Action: Adopt a Negative Declaration

RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution to:

- 1) Adopt a Negative Declaration;
- 2) Recommend the Board of Supervisors to:
 - a. Accept the Amended Conservation and Scenic Easement Deed for the Indian Springs Ranch Property Owners Association,
 - b. Authorize the Chair of the Board of Supervisors to execute the Amended Conservation and Scenic Easement Deed, and
 - c. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation; and
- 3) Approve a Use Permit and Design Approval, subject to approval of the Amended Conservation and Scenic Easement Deed, to allow a wireless communication facility consisting of:
 - a. construction of a 34-foot tall mono-eucalyptus wireless communications pole
 - b. equipment shelter
 - c. electric meter
 - d. 30-kilowatt standby diesel generator surrounded by an 8-foot tall fence.

The attached draft resolution includes findings and evidence for consideration (**Exhibit C**).

Staff recommends approval subject to 16 conditions of approval.

PROJECT INFORMATION:

Agent: Verizon Wireless

Property Owner: Indian Springs RCH Prop Owners

APN: 139-111-011-000

Parcel Size: 72.67 Acres

Zoning: Open Space, Design Control District or "O-D"

Plan Area: Toro

Flagged and Staked: No

SUMMARY:

In January 2015, the applicant, Verizon Wireless, made an application to RMA-Planning to

allow the establishment of a wireless communication facility (WCF) within an area owned by the Indian Springs Ranch Property Owners association within the Indian Springs Ranch subdivision. Through staff's analysis of the project materials, it was identified that the proposed location of the WCF is within an existing Conservation and Scenic Easement.

On August 27, 2015, the RMA Director of Planning notified the project applicant, in writing as a formal interpretation by the Director (see Exhibit E), that the proposed project was not a use allowed within the boundaries of the designated easement area. The project applicant then responded with a request to appeal the Director's decision to the Planning Commission on September 10, 2015.

The Planning Commission held a public hearing to consider the appeal of an administrative interpretation on September 30, 2015. The Planning Commission denied the appeal (Resolution No. 15-049) and recommended that the applicant either consider modifying the application and relocate the WCF outside of the easement or request an amendment to the Conservation and Scenic Easement to allow placement of the WCF in the boundaries.

The applicant explored available options for co-location and alternative sites and found that there were no known existing facilities within the vicinity of the subject property and lease agreements for the alternative sites could not be obtained.

The applicant now requests the Planning Commission recommend the Board of Supervisors allow an amendment to the Conservation and Scenic Easement to include the WCF and approve the Use Permit and Design Approval to allow establishment of the WCF, consisting of a 34-foot tall mono-eucalyptus with six panel antennas, nine remote radio units, and four surge protectors; an equipment shelter; electric meter; and a 30-kilowatt standby diesel generator surrounded by an 8-foot tall fenced security enclosure. The Use Permit and Design Approval have been conditioned to so that approval of the Planning Commission will not take effect until the amendment is approved by the Board of Supervisors.

Staff finds the project, as proposed and conditioned, consistent with policies and regulations applicable to the subject property. A detailed discussion is provided in **Exhibit B**.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- Environmental Health Bureau
- RMA-Public Works
- RMA-Environmental Services
- Water Resources Agency
- Monterey County Regional Protection District
- Toro Land Use Advisory Committee

The proposed project was reviewed by Toro Land Use Advisory Committee (LUAC) on June 8, 2015 and continued due to a lack of design alternatives, flagging, and a detailed site plan. On May 23, 2016, the item was brought back before the LUAC for reconsideration. A motion to support the project with the recommendation to relocate the facility off of the scenic easement

was made and the vote consisted of three ayes and three noes with three members absent. The motioned failed resulting in no recommendation by the LUAC. (**Exhibit D**)

FINANCING:

Funding for staff time associated with this project is included in the FY2016-2017 Adopted Budget for RMA-Planning.

Prepared by: Anna V. Quenga, Associate Planner, x5175
Reviewed by: Brandon Swanson, RMA Services Manager
Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the RMA:

- Exhibit A Project Data Sheet
- Exhibit B Project Discussion
- Exhibit C Draft Resolution, including:
 - Conditions of Approval
 - Project Plans
- Exhibit D Toro LUAC Minutes
- Exhibit E September 30, 2015 Planning Commission Staff Report
- Exhibit F Planning Commission Resolution No. 15-049
- Exhibit G Negative Declaration
- Exhibit H Federal Communications Commission Compliance Assessment
- Exhibit I Photo Simulation
- Exhibit J CEQA Comments

cc: Front Counter Copy; Anna V. Quenga, Associate Planner; Brandon Swanson, RMA Services Manager; Indian Springs RCH Prop Owners, Owner; Verizon Wireless (Tricia Knight), Applicant; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Lorna Moffat, Interested Party; Nina Beety, Interested Party; Project File PLN150082